

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-NM-317-AD; Amendment 39-13541; AD 2004-06-15]

RIN 2120-AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146-RJ Series Airplanes; and BAE Systems (Operations) Limited Model BAe 146 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain BAE Systems (Operations) Limited Model Avro 146-RJ and Model BAe 146 series airplanes, that requires a test to determine the torque setting for the collar cap screw of the differential box for the nose landing gear, and follow-on actions. This action is necessary to prevent uncommanded inputs to the nosewheel steering, which could result in reduced controllability of the airplane during takeoff and landing. This action is intended to address the identified unsafe condition.

DATES: Effective April 30, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 30, 2004.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1175; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain BAE Systems (Operations) Limited Model Avro 146-RJ and Model BAe 146 series airplanes was

published in the Federal Register on January 5, 2004 (69 FR 289). That action proposed to require a test to determine the torque setting for the collar cap screw of the differential box for the nose landing gear, and follow-on actions.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Explanation of Editorial Change

Note 1 of the proposed AD referred to a "detailed inspection and follow-on actions." This was an inadvertent error in the proposed AD. Note 1 of the final rule has been changed to refer to a "torque test and follow-on actions."

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed, with the editorial change mentioned previously.

Cost Impact

The FAA estimates that 55 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required actions, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$7,150, or \$130 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

AIRWORTHINESS DIRECTIVE

Aircraft Certification Service
Washington, DC



U.S. Department
of Transportation
**Federal Aviation
Administration**

We post ADs on the internet at "www.faa.gov"

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

2004-06-15 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Amendment 39-13541. Docket 2001-NM-317-AD.

Applicability: Model Avro 146-RJ series airplanes; and Model BAe 146 series airplanes; equipped with a nose landing gear having a part number listed under paragraph 1.A.(1) of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent uncommanded inputs to the nosewheel steering, which could result in reduced controllability of the airplane during takeoff and landing, accomplish the following:

Note 1: BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001, references Messier-Dowty Service Bulletin 146-32-154, dated August 3, 2001, as an additional source of service information for accomplishment of the torque test and follow-on actions. Although the Messier-Dowty service bulletin specifies to submit certain information to the manufacturer, this AD does not include such a requirement.

Torque Test and Follow-On Actions

(a) Within 6 months after the effective date of this AD: Perform a torque test of the collar cap screw of the differential box for the nose landing gear, and do all applicable follow-on actions before further flight in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001.

(b) If the steering mechanism will not return to the neutral position following the functional test in paragraph 2.C. of the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001, before further flight: Repair per a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the CAA (or its delegated agent).

Parts Installation

(c) As of the effective date of this AD, no person may install on any airplane a nose landing gear assembly unless the torque test and follow-on actions have been accomplished in accordance with paragraph 2.B. of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001.

Alternative Methods of Compliance

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

Incorporation by Reference

(e) Unless otherwise specified in this AD, the actions shall be done in accordance with BAE Systems (Operations) Limited Inspection Service Bulletin ISB.32-168, dated August 6, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 2: The subject of this AD is addressed in British airworthiness directive 004-08-2001.

Effective Date

(f) This amendment becomes effective on April 30, 2004.

Issued in Renton, Washington, on March 17, 2004.
Kevin M. Mullin,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 04-6582 Filed 3-25-04; 8:45 am]
BILLING CODE 4910-13-P